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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/392,028	09/08/1999	William D. Smith II	RD-27419	9474

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EXAMINER

FELTEN, DANIEL S

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/392,028

Applicant(s)

Smith

Examiner

D. Feiten

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/29/2003
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

DETAILED ACTION

1
2 1. Receipt of the Amendment filed April 29, 2003 amending claims 1, 12, 23 and 24 are
3 acknowledged. Claims 1-24 are pending in the application and are presented to be examined
4 upon their merits.

Response to Arguments

5
6
7
8
9 2. Applicant's arguments with respect to claim have been considered but are moot in view
10 of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

11
12
13
14
15 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
16 obviousness rejections set forth in this Office action:

17 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
18 section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
19 are such that the subject matter as a whole would have been obvious at the time the invention was made to a

1 person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
2 negatived by the manner in which the invention was made.

3 3. Method claims 1-4 & 23 and apparatus claims 12-15 & 24 are rejected under 35
4 U.S.C. 103(a) as being unpatentable over Highbloom (US 5,23,315) in view of Hogan (US
5 2001/0013545 A1) and Tarter et al. (Hereinafter "Tarter", US 5,550, 734).
6

7 **Re method claim 1, 12, 23 and 24:**

8 Highbloom discloses a method for processing financial information process management
9 and workflow system (see fig. 1) coupled to a data repository [18, 20] (*main and long term*
10 *memory*), upon receipt of the financial information by the process management and workflow
11 system, the method comprising the step of operating the process management and workflow
12 system to record the financial information (see col. 6, ll. 1-33), evaluate current collateral
13 information 10 (*via monitoring system*) (see col. 3, ll. 56-61), and evaluate current credit status
14 (see col. 4, line 52 to col. 5, ll. 11).

15 Highbloom fails to disclose a method of processing and/or receiving a cash advance
16 *request* in his invention. Hogan discloses a method which includes processing a cash advance
17 request against the credit loan balance (see Hogan page 2, paragraph [0018]; page 5, claim 20;
18 and page 6, claim 37). It would have been obvious for an artisan at the time of the invention of
19 Hogan to process, receive and record a credit line request because an artisan at the time of the
20 invention of Hogan would have recognized that the client would require access to his/her line of
21 credit and thereby necessitate the need to request access to the credit line and execute the request.

1 Thus to employ the teachings of Hogan to the system of Highbloom would have been an obvious
2 expedient well within the ordinary skill in the art.

3 Furthermore Hogan fails to disclose receiving collateral information which includes
4 information relating to the customer's account receivables and accounts payable. Tarter
5 discloses a system which provides a means to obtain needed funds by receivables securitization,
6 (borrowing the money and using the receivables as collateral) (see Tarter, col. 16, ll. 1+). It
7 would have been obvious for an artisan at the time of the invention to modify the collateral
8 information in Highbloom to include account receivable/account payable because an artisan at
9 the time of invention would have sought to use the accounts receivable/account payable
10 information as collateral against receiving a loan. Thus such a modification would have been an
11 obvious expedient well within the ordinary skill in the art.

12
13 **Re claims 2 and 13:**

14 Highbloom discloses the step of operating the process management and workflow system to
15 evaluate whether the collateral information is up-to-date (see Highbloom, Abstract, col. 4, lines
16 52-64).

17
18 **Re claim 3 and claim 14:**

1 Highbloom discloses the collateral information is not up-to-date, said method further comprises
2 the step of operating the process management and workflow system to update the collateral
3 information (see Highbloom, Abstract, col. 4, lines 52-64).

4
5
6
7 **Re claim 4 and claim 15:**

8 Highbloom disclose evaluating current credit status comprises the steps reviewing whether
9 money is actually available in a credit line, and whether a borrowing client's business is
10 performing according to expectations (see Highbloom, Abstract, col. 4, lines 65 to col. 5, ll. 11).

11
12 4. Method claims 5-11 and apparatus claims 16-22 are rejected under 35 U.S.C. 103(a) as
13 being unpatentable over Highbloom (US 5,23,315) as modified by Hogan (US 2001/0013545
14 A1) and Tarter as applied to claim 1 as applied to claim above, and further in view of
15 DeFrancesco et al (US 5,878,403). The teachings of Highbloom and Hogan have been discussed
16 above.

17
18 **Re claim 5 and claim 16:**

19 Highbloom as modified by Hogan and Johnston fails to disclose identifying dilution, reviewing
20 advance rate, and reviewing fraud possibilities.

1 DeFrancesco discloses a method wherein evaluating current credit status further
2 comprises the steps identifying dilution, reviewing advance rate, and reviewing fraud
3 possibilities (see DeFrancesco, col. 5, ll. 44-47; col. 7, ll. 32-39; col. 16, ll. 62 to col 17, ll. 11).

4 It would have been obvious for an artisan at the time the invention was made to employ
5 the teachings of DeFrancesco with the aforementioned features, to the teaching of Highbloom as
6 modified by Hogan because an artisan at the time of the invention would be concerned about the
7 accuracy and security of the financial transaction information being bi-directionally
8 communicated between customer and financial data sources. Thus to employ such features with
9 Highbloom as modified by Hogan would be considered an obvious extension to the teachings
10 Highbloom inasmuch as it would provide an alternative means to secure that the information
11 received and transmitted is correct. Thus such a modification would be an obvious expedient to
12 one of ordinary skill in the art.

13
14 **Re claim 6 and claim 17:**

15 the method further comprises the step of operating the process management and workflow
16 system to initiate a review and approval process, and to either deny or approve the request (see
17 DeFrancesco, *application status*, fig. 3AJ ; col. 17, ll. 39-43; and col. 30 ll. 47 to col. 31, ll. 17).

18
19 **Re claim 7 and claim 18:**

1 comprising the step of notifying a user of a request status (see DeFrancesco, *application status*,
2 fig. 3AJ ; col. 17, ll. 39-43; and col. 30 ll. 47 to col. 31, ll. 17).

3
4 **Reclaim 8, 9 and claim 19, 20:**

5 if the request is approved, said method further comprises the steps of initiating a wire transfer of
6 funds, and archiving wire transfer details; and if the request is approved, said method further
7 comprises the step of notify the user that wire transfer is complete (see DeFrancesco, *application*
8 *status*, fig. 3AJ ; col. 17, ll. 39-43; and col. 30 ll. 47 to col. 31, ll. 17).

9
10 **Re claim 10 and claim 21:**

11 A method the process management and workflow system is coupled to client by a wide area
12 network, and wherein receiving financial information comprises the steps of establishing a
13 communication link between the accounting system and the process management and workflow
14 system, and authenticating validity of the accounting system (see fig. 2).

15
16 **Re claim 11 and claim 22:**

17 A method in accordance with Claim 10 wherein the wide area network is the Internet 104 (see
18 fig. 1A, DeFrancesco et al, col. 17, ll. 57 to col. 18, ll. 22).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ***Daniel S. Felten*** whose telephone number is (703) 305-0724. The examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday. Any inquiry of a general nature relating to the status of this application or its proceedings should be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor ***Vincent Millin*** whose telephone number is (703) 308-1065.

6. Response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

for formal communications intended for entry, or (703) 305-0040, for informal or draft communications, please label "Proposed" or "Draft".

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to *[daniel.felten@uspto.gov]*.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly

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Applicant(s): Smith et al. (705/39)

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Representative: Beulick (33,338)

1 set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
2 Trademark on February 25, 1997 at 1 195 OG 89.

3
4
5 
6 **DSF**
7 **July 25, 2003**


VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
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